

Ensuring Equal Justice Initiative

The Ensuring Equal Justice Initiative (EEJI) is a community partnership established by Public Defender Carlos J. Martinez (PD-11) with civil firms, private attorneys, law schools, colleges and community groups.

As part of his community outreach, Public Defender Martinez turned to the private firms with his vision for a project that could enhance our indigent clients' access to justice, help him and his assistants (APDs) comply with their ethical obligations, and provide valuable information to the community at large.

Systemic Litigation. Building on former Public Defender Bennett Brummer's tradition of getting private firms to help support our systemic litigation and individual APDs faced with contempt, PD-11 counts on the generous support of Hogan & Hartson in our excessive caseload litigation. The Baker McKenzie law firm has also been litigating on behalf of a child whose juvenile record was released to the public.

Direct Representation. This aspect is designed to reduce the caseloads of assistant public defenders and our backlog of cases. Through both formal training and "on-the-job" training, individual attorneys and law firms advance their professional development by gaining advocacy experience meeting their goals of providing pro bono legal services to the indigent. More than 50 private attorneys are currently participating. This effort is greatly enhanced by the support of private attorneys who are members of the Florida Association of Criminal Defense Lawyers – Miami chapter.

Goals:

- Provide pro bono volunteer opportunities to private attorneys.
- Advocate effectively on behalf of clients whom PD-11 is currently struggling to assist due to excessive caseloads.
- Reduce the excessive caseloads of assistant public defenders.
- Receive help in meeting PD-11's professional and ethical obligations.
- Breathe life into the constitutional guarantee of equal justice.
- Create a volunteer corps.

How:

- Pro Bono attorneys watch a training video for which they may receive Continuing Legal Education (CLE) credits.
- Pro Bono attorneys will be asked to handle at least one (1) misdemeanor case.
- PD-11 provides ongoing training and technical assistance support to Pro Bono attorneys. Written training materials, including sample motions, are distributed electronically.
- Pro Bono attorneys will have primary responsibility for client contact, pre-trial discovery, motion practice, depositions, trials, plea negotiations, and post-trial sentencing advocacy.
- PD-11 will make every effort to assign trial-eligible cases.

Over the years, the EEJI will be expanded to:

- Provide legal assistance to clients for other representation needs (housing, benefits, collateral consequences, school discipline, immigration);
- Provide ongoing community education (Play it Smart, Consequences Aren't Minor, Redemption, Know Your Rights); and
- Accept help in miscellaneous activities (pro bono coordination, translations, child-friendly materials, website development, grant writing, legal research).

Contact:

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